

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

ANTHONY BOTEILHO,

Plaintiff,

V.

CHRISTINE GREGOIRE, et al.,

Defendants.

Case No. C09-5407BHS

ORDER ADOPTING REPORT AND RECOMMENDATION WITH CLARIFICATION

This matter comes before the Court on the Report and Recommendation of the Honorable J. Richard Creatura, United States Magistrate Judge, dated June 8, 2010. (Dkt. 59). The Magistrate Judge recommends the Court grant Defendants' motion to transfer this prisoner civil rights action to Arizona. The Plaintiff has not filed an objection to the Report and Recommendation. Defendants have filed a motion for clarification regarding the transfer order. (Dkt 60). This request for clarification indicates that the Report and Recommendation names an incorrect Division of the United States District of Arizona as the venue for transfer. The order should provide that this action is transferred to the Phoenix Division, U.S. District Court of Arizona.

The Court has considered the Report and Recommendation, Defendants' motion for clarification, and the remaining record, and hereby adopts the Report and Recommendation with clarification. Therefore, it is hereby **ORDERED** that:

- (1) Defendants' motion to transfer this case to Arizona (Dkt. 25) is **GRANTED**;
- (2) Defendants' motion for clarification (Dkt . 59) is **GRANTED**;
- (3) This action is transferred to the United States District Court for Arizona at 401 West Washington Street, Phoenix, AZ 85003-2118;
and
- (4) The Clerk is directed to send copies of this order to Plaintiff, transfer this action, and close the file.

DATED this 8th day of July, 2010.


BENJAMIN H. SETTLE
United States District Judge